



DT02 Rec'd PCT/PTO 10 NOV 2004

PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DHL EXPRESS 552 6567 653

Applicant: Thomas Hugen
Serial No: 10/088,029
Intern. Filing Date: 5 August 2000
Title: Comminuting Machine

PCT No.: PCT/EP00/07612
Attorney Docket: 19943518

Mail Stop PCT
ATTN: Office of PCT Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER

The undersigned received a response dated 27 September 2004 responding to status inquiries filed on 10 February 2004 and 2 July 2004.

The response states that no petition for revival has been found in the incoming papers.

A **copy of the petition** faxed on 24 June 2002 is attached. The undersigned herewith states that the copy is a true copy and, as evidenced by the certificate of mailing or transmission by fax on page 2 of the Petition for Revival, that she has faxed the papers on June 24, 2002, to the USPTO at fax number provided in the certificate. Also attached is a **confirmation report** printed by the fax machine of the undersigned showing that the transmission of three pages was successfully completed on June 24, 2002, to the fax number provided in the certificate of transmission (this is the fax number provided by the USPTO on the official petition form).

Note that the undersigned has relocated to GERMANY since filing the petition for revival.

It is therefore respectfully requested that the application be revived and that the required fees be charged to Patent and Trademark Office deposit account 50-1199.

Respectfully submitted on November 8, 2004,

Ms. Gudrun E. Huckett, Ph.D.
Patent Agent, Registration No. 35,747
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GERMANY
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Encl.: - 3 pages petition to revive including fee transmittal sheet (1 sheet)
- 1 page fax report

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
19943518First named inventor: **Thomas Hugen**Application No.: **10/088,029**
PCT/EP00/07612 filed 8/5/2000
Filed: 3/11/2002

Art Unit:

Examiner:

Title: **Comminuting Machine****FAXED**
6/24/02*GEO*Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.The above-identified application became abandoned for failure to file a timely and proper reply to a
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the
expiration date of the period set for reply in the Office notice or action plus an extensions of time
actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

 Small entity-fee \$ 640 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27. Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in
the form of U.S. Basic National Fee \$ 445 (identify type of reply):
 has been filed previously on _____
 is enclosed herewith.

B. The issue fee of \$ _____.
 has been paid previously on _____
 is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

11/15/2004 SNAJARRO 00000044 501199 10088029

03 FC:2453 685.00 DA

3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

6/24/2002

Date



Signature

Telephone
Number: (505) 266-2138

Gudrun E. Huckett, Reg. No. 35747

Typed or printed name

P.O. Box 3187, Albuquerque, NM 87190

Address

Enclosures: Fee Payment

Reply

Terminal Disclaimer Form

Additional sheets containing statements establishing unintentional delay

Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916. Number of sheets in this transmission: 3

6/24/2002

Date



Signature

Gudrun E. Huckett

Type or printed name of person signing certificate

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)

Complete if Known

Application Number	10/088,029
Filing Date	3/11/2002
First Named Inventor	Thomas Hugen
Examiner Name	
Group Art Unit	
Attorney Docket No.	19943518

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number

501199

Deposit Account Name

Gudrun E. Huckett

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments

 Charge any additional fee(s) during the pendency of this application

 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee
106	330	206	165	Design filing fee
107	510	207	255	Plant filing fee
108	740	208	370	Reissue filing fee
114	160	214	80	Provisional filing fee

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20**	=	
			-3**	=	

Large Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105	130	205	65 Surcharge - late filing fee or oath	
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	
139	130	139	130 Non-English specification	
147	2,520	147	2,520 For filing a request for ex parte reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	
116	400	216	200 Extension for reply within second month	
117	920	217	460 Extension for reply within third month	
118	1,440	218	720 Extension for reply within fourth month	
128	1,960	228	980 Extension for reply within fifth month	
119	320	219	160 Notice of Appeal	
120	320	220	160 Filing a brief in support of an appeal	
121	280	221	140 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive - unavoidable	
141	1,280	241	640 Petition to revive - unintentional	640.00
142	1,280	242	640 Utility issue fee (or reissue)	
143	460	243	230 Design issue fee	
144	620	244	310 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	
123	50	123	50 Processing fee under 37 CFR 1.17(q)	
126	180	126	180 Submission of Information Disclosure Stmt	
581	40	581	40 Recording each patent assignment per property (times number of properties)	40.00
146	740	246	370 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370 For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	
Other fee (specify) US Basic National Fee				445.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

1125.00

SUBMITTED BY				
Name (Print/Type)	Gudrun E. Huckett	Registration No. (Attorney/Agent)	35,747	Complete (if applicable)
Signature	Gudrun E. Huckett			Date 6/24/202

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Job	Start Time	Usage	Phone Number or ID	Type	Pages	Mode	Status
367	6/24 10:44AM	1'12"	703 308 6916	Send.....	3/ 3	EC144	Completed.....

Total 1'12" Pages Sent: 3 Pages Printed: 0

P105564 (10-01)

Approved for use through 10/21/2002. OMB 0611-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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